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ORDER E-FILED 12/12/2008

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15 Attorneys for PLAINTIFFS

16 UNITED STATES DISTRICT COURT
17 FOR THE
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN JOSE DIVISION

20 FRANCISCO MUNOZ MARQUEZ; LUIS
21 A. VIDAL

22 Plaintiffs,

23 vs.

24 JUVENTINO RODRIGUEZ; ROBERT
25 JAMES RODRIGUEZ; CHRISTINA
26 CAMARILLO; MARTHA V. RODRIGUEZ;
27 EILEEN RODRIGUEZ; and J&E HVAC,
28 INC.

Defendants

Case No.: CV 08 1702 HRL.

**STIPULATION AND ORDER RE:
EXTENSION OF DISCOVERY AND
MEDIATION**

MODIFIED BY THE COURT

The parties through counsel stipulate as follows:

1. The parties are still attempting to reach a compromise settlement without the cost of full litigation. To this end the parties agree that an extension of the currently set case management dates would facilitate this goal.

2. The parties met telephonically with the assigned mediator, discussed settlement and investigation issues and set an initial mediation date. The discussions regarding this request to extend discovery and other dates have included input from the court appointed mediator.
3. The parties are engaged in ongoing informal discovery in addition to the previous disclosures with the intended goal of having a substantial and meaningful mediation.
4. The parties have not previously requested any extensions of time for discovery in this matter.
5. The parties therefore request that all case management dates previously set be extended 75 days and that mediation be reset from mid-December to January at a time mutually agreed by counsel and the court appointed mediator.

DATED: December 6, 2008

By: 

RICHARD H. WILSON
Attorney for Plaintiffs

DATED: December __, 2008

SIMS AND LAYTON

By: _____

RONA P. LAYTON
Attorneys for Defendants ROBERT JAMES
RODRIGUEZ; CHRISTINA,
CAMARILLO, and J&E HVAC, INC.

DATED: December 5, 2008

HABBU & PARK Inc.

By: 

JEFFREY PARK Attorneys for Defendants
JUVENTINO RODRIGUEZ; MARTHA V.
RODRIGUEZ; and EILEEN RODRIGUEZ

FAXED SIGNATURE

2. The parties met telephonically with the assigned mediator, discussed settlement and investigation issues and set an initial mediation date. The discussions regarding this request to extend discovery and other dates have included input from the court appointed mediator.
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DATED: December 6, 2008

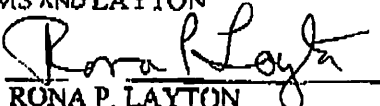
By:


RICHARD H. WILSON
Attorney for Plaintiffs

DATED: December 9, 2008

SIMS AND LAYTON


By:


RONA P. LAYTON
Attorneys for Defendants ROBERT J. RODRIGUEZ; CHRISTINA CAMARILLO, and J&E HVAC, INC.

DATED: December 5, 2008

HABBU & PARK Inc.

By:


JEFFREY PARK Attorneys for Defendants
JUVENTINO RODRIGUEZ; MARTHA V. RODRIGUEZ; and EILEEN RODRIGUEZ

FAXED SIGNATURE


1 IT IS HEREBY ORDERED

2 The discovery dates set at the case management conference in this matter on September
3 9, 2008 are hereby continued ~~25 days~~ ^{complete} and the parties are ordered to ~~schedule~~ mediation in

4 January 2009. The new dates are:

- | | | |
|----|--|--|
| 5 | | March 6, |
| 6 | 1. Fact Discovery Cutoff: | April 10, 2009 |
| 7 | | April 8, |
| 8 | 2. Expert Disclosures (with reports): | May 1, 2009 |
| 9 | | April 22, |
| 10 | 3. Rebuttal Expert Designation: | May 15, 2009 |
| 11 | | May 22, |
| 12 | 4. Expert Discovery Cutoff: | June 12, 2009 |
| 13 | | 7 |
| 14 | 5. Last day to hear Dispositive Motions: | July 28, 2009 10:00 a.m. |
| 15 | 6. Pretrial Conference: | August 18, |
| 16 | | September 8, 2009 1:30 p.m. |
| 17 | 7. Bench Trial: (3 days) | August 24, 2009 |
| 18 | | To be determined |

19 December 12 2008


Hon. Howard R. Lloyd
Magistrate of the Federal Court

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** END OF ORDER **